



## Request for City Council Committee Action From the Police Department

Date September 11, 2003  
To Public Safety and Regulatory Services Committee  
Referral to

**Subject Automated Pawn System Intellectual Properties License Agreement**

### Recommendation

This request seeks permission to enter into a licensing agreement with Unisys for the sole purpose of their proposing on the Metropolitan Washington Council of Government (COG) Regional Pawn Data Sharing System Request for Proposal by September 17, 2003 providing said agreement meets certain minimum goals.

### Previous Directives

Prepared or Submitted by Lt. Phil Hafvenstein, Phone 673-3829  
Approved by Deputy Chief Lucy Gerold, South Field Services Bureau

Presenter(s) in Committee Lt Phil Hafvenstein

#### **Financial Impact** (Check those that apply)

☐ No financial impact - or - Action is within current department budget.  
(If checked, go directly to Background/Supporting Information)

☐ Action requires an appropriation increase to the Capital Budget

☐ Action requires an appropriation increase to the Operating Budget

☐ Action provides increased revenue for appropriation increase

☐ Action requires use of contingency or reserves

☒ Other financial impact (Explain): Action will result in minimum \$100,000.00

revenue to City if satisfactory license agreement with Unisys Corporation can be completed by Tuesday September 16, 2003 and Unisys proposal is accepted by COG.

☐ Request provided to the Budget Office when provided to the Committee Coordinator

#### **Community Impact** (use any categories that apply)

Neighborhood Notification

City Goals

Comprehensive Plan

Zoning Code

Other

**Background/Supporting Information Attached**

## **Background/Supporting Information**

Consistent with previous Council action authorizing staff to negotiate strategic licensing and partnership negotiations with other political subdivisions and private businesses, a unique opportunity to license the City's APS Automated Pawn System intellectual property has been identified. The opportunity exists because of the Metropolitan Washington Council of Governments (COG) Request for Proposal (RFP) #03-17 for a Regional Pawn Data Sharing System (RPDSS) which specifies the APS Automated Pawn System Interchange File Specification as the desired data standard. Deadline for submitting proposals is next Wednesday, September 17, 2003.

The Unisys Corporation desires to submit a proposal to COG RFP that utilizes the functionality, database structure and source code of the APS Automated Pawn System, and is seeking a software license agreement to do so. Negotiations of such an agreement have commenced, but could not be completed by September 11, 2003. The minimum goals the City seeks in the agreement are:

1. Retention of ownership and control of current version of APS by the City.
2. Ownership and control of any enhancements to the current version of the APS intellectual property (IP) that may be developed through development of the COG regional pawn data sharing system.
3. Clear and limited liability for the City.
4. If Unisys proposal is accepted by COG, financial compensation by Unisys to the City for use of current APS intellectual property and related documentation. Compensation to be the greater of \$100,000.00 or a percentage of the total RFP contract received by Unisys.
5. A percentage of any financial compensation received by Unisys for follow-on software development related to the regional pawn data sharing system.
6. If Unisys proposal is not accepted by COG, licensing agreement is immediately terminated.

To insure these goals are met, negotiations are being collectively monitored by Lt. Phil Hafvenstein, APS Project Coordinator; Joe LaBat, Assist City Attorney; Ellen Velasco-Thompson, Risk Management; and Michael Nguyen, City Treasurer. The law firm of Merchant and Guild, under contract to the City Attorney is reviewing legal aspects related to intellectual properties.

This request specifically seeks permission to enter into a licensing agreement with Unisys for the sole purpose of their proposing on the Metropolitan Washington Council of Government COG RFP by September 17, 2003 providing, at a minimum, it satisfies the stated goals.